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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/598,032	08/16/2006	Jean-Marie Nouel	06112	9373
23338 7590 02/25/2009 DENNISON, SCHULTZ & MACDONALD 1727 KING STREET SUITE 105 ALEXANDRIA, VA 22314			EXAMINER FREEMAN, SHEMA TAJAN	
			ART UNIT 4126	PAPER NUMBER
			MAIL DATE 02/25/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/598,032

Applicant(s)

NOUEL, JEAN-MARIE

Examiner

SHEMA T. FREEMAN

Art Unit

4126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date 08172006
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Nouel (US 6,406,833).

Regarding claim 1, Nouel herein after referred to as "Nouel" teaches a plate for use in wet offset printing, comprising at its surface ink-accepting surfaces corresponding to patterns to be printed; at least part of said ink-accepting surfaces being lightened, i.e. including small non ink- accepting lightening surfaces, characterized in that over at least part of said lightened ink-accepting surfaces, said small non ink-accepting lightening surfaces are distributed in at least two groups: a first group of small non ink-accepting surfaces with an area (areas) sufficient to be effective per se and in a quantity sufficient to lighten the ink-accepting surface(s) involved in lightening by at least 4%; and a second group of small non ink-accepting surfaces, not effective per se because their area(s) is (are) too small; the mean area of said small non ink-accepting surfaces of said second group in general being less than 2/3 of the mean area of said small non ink-accepting surfaces of said first group; said small non ink-accepting surfaces of said

first and second groups being distributed so as to minimize, advantageously avoid, any moiré effects. **(column 10, claims 1-3, 5 and 6)**

Regarding claim 2, Nouel teaches a plate characterized in that said small non ink-accepting surfaces of said first and/or second groups are distributed in a random manner or in conventional screens and, for each color, in the orientation employed for the screen for said color. **(column 9, lines 17-20)**

Regarding claim 3, Nouel teaches a plate characterized in that when printing patterns with a stochastic screen, the small non ink-accepting surfaces of said first and second groups distributed in a (several) conventional screen(s) are orientated for each color in the orientation normally used for printing said color. **(column 8, lines 51-54)**

Regarding claim 4, Nouel teaches a plate characterized in that the mean area of said small non ink-accepting surfaces of said second group is in the range $1/4$ to $2/3$, advantageously in the range $1/4$ to $1/2$ of the mean area of said small non ink-accepting surfaces of said first group. **(column 10, claims 5 and 6)**

Regarding claim 5, Nouel teaches a plate characterized in that: when printing patterns with an amplitude modulation screen, the area(s) of said small non ink-accepting surfaces of said first group remains (remain) smaller than the 95% white dot value, and advantageously smaller than the 98% white dot value of said screen; or when printing

patterns with a stochastic screen, the area(s) of said small non ink-accepting surfaces of said first group is (are) always less than three times the area of the dot of said screen, and generally in the range 0.5 times to 2 times said area. **(column 9, lines 22-25)**

Regarding claim 6, Nouel teaches a plate characterized in that said small non ink-accepting surfaces of said first group are present in a quantity sufficient to lighten the ink-accepting surface(s) concerned with lightening by 4% to 20%, advantageously by 6% to 12%. **(column 10, claims 2 and 3)**

Regarding claim 7, Nouel teaches a plate characterized in that said small non ink-accepting surfaces of said second group are present in a quantity sufficient to lighten the ink-accepting surface(s) concerned with lightening by 4% to 35%, advantageously by 8% to 20%. **(column 10, claims 2 and 3)**

Regarding claim 8, Nouel teaches a plate characterized in that the percentage lightening of its ink-accepting surfaces is not constant. **(column 3, lines 11-17)**

Regarding claim 9, Nouel teaches a plate characterized in that none of said small non ink-accepting surfaces of said second group is in contact with a small non ink-accepting surface of said first group. **(column 10, claim 1)**

Regarding claim 10, Nouel teaches a plate characterized in that each of said small non ink-accepting surfaces of said first and second groups is inside the ink-accepting surface within which it is present. **(column 10, claim 1)**

Regarding claim 11, Nouel teaches a plate characterized in that said small non ink-accepting surfaces of said first group have the same area and/or, advantageously and, said small non ink-accepting surfaces of said second group have the same area.
(column 4, lines 26-30)

Regarding claim 12, Nouel teaches a process for preparing a plate characterized in that it comprises copying said plate to generate the ink- accepting surfaces corresponding to the patterns to be printed on the surface of said plate as well as said small non ink-accepting lightening surfaces within said ink-accepting surfaces; said small non ink-accepting surfaces being copied: by a technique for exposing said plate through at least one film and/or a technique for exposing a precursor web of positive pre-sensitized plates through the opaque wall of a tube; and/or by a technique for directly exposing said plate with beams controlled by software; and/or by a projection technique. **(column 1, lines 9-19 and column 7, lines 1-28)**

Regarding claim 13, Nouel teaches a wet offset printing process, comprising: copying a plate, generating ink-accepting surfaces on the surface of said plate corresponding to the patterns to be printed and including small non ink-accepting lightening surfaces;

fixing said copied plate to a plate cylinder; wetting then inking said fixed copied plate or inking it directly with an ink based on an ink/water mixture; and transferring the ink held on said lightened ink- accepting surfaces onto the blanket then onto the substrate to be printed in succession. **(column 1, lines 20-24 and column 8 lines 10-12)**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHEMA T. FREEMAN whose telephone number is (571)270-5714. The examiner can normally be reached on Monday-Thursday 7:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tu Nguyen can be reached on (571) 272-2424. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/598,032
Art Unit: 4126

Page 7

/S. T. F./
Examiner, Art Unit 4126

/James P. Hughes/
Primary Examiner, Art Unit 2883